

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PHILLIP A. THOMPSON,
Plaintiff,

v.

TAMMY FERGUSON, *et al.*,
Defendants.

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CIVIL ACTION NO. 19-CV-3455

ORDER

AND NOW, this 2nd day of October, 2019, upon consideration of Plaintiff Phillip A. Thompson's Amended Complaint (ECF No. 7) it is **ORDERED** that:

1. The Amended Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), with the exception of Thompson's claims related to his mail, which will be severed from this case in accordance with paragraph two (2) of this Order.

2. The Clerk of Court is **DIRECTED** to open a new civil action using a copy of this Order and a copy of the Amended Complaint filed in this action naming Phillip A. Thompson, III as the Plaintiff and naming the following Defendants: (1) Tammy Ferguson; (2) Mandy Sipple; (3) John Wetzel; and (4) Smart Communications. To the extent Thompson seeks to proceed on claims related to his mail, he must do so in the new civil action rather than in this case.

3. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:



Berle M. Schiller, J.